

HIGH COURT OF CHHATTISGARH AT BILASPUR

(15)

M.A. No. 571 of 2005

Appellants 1. Smt. Rukmani Thakur, aged about 45 years, W/o Ganesh Singh Thakur, Occupation- Housewife.
2. Ganesh Singh Thakur, aged about 47 years, S/o Shri Ram Singh Thakur. Both R/o Village- Sarora, Post Sarora, P.S. Tilda, District- Raipur (C.G.)

Versus

Respondents 1. M. H. Prakash, S/o M.H. Swami, Occupation - Driver & Owner of the Vehicle, R/o Ward No.5, Near Ramnagar, Jahan Building, Supela Bhilai, Tahsil and District- Durg (C.G.).
2. The New India Insurance Company Limited, Branch Office Prakash Bhawan, Station Road, Durg, through Divisional Manager, Division Office- Kachahari Chowk, Jail Road, Raipur (C.G.).

DB: Hon'ble Shri Justice S. R. Nayak, C.J.
& Hon'ble Shri Justice Satish K. Agnihotri, J.

Mr. S. C. Verma, Advocate for the appellant.

ORAL ORDER

(2nd December 2005)

The following order of the Court was passed by S. R. Nayak, C.J.

1. While assailing the correctness of the impugned award in this appeal preferred by the claimants what was urged by learned counsel is that the multiplier applied by the Tribunal for assessing the loss of dependency is not appropriate multiplier. We do not think so. It is pointed out that on the date of the death of the son the age of the mother was 45 years and age of the father was 47 years and the average age of the parents was 46 years and therefore, the multiplier of 13 was applied by the M.A.C.T. to the loss of dependency is correct. No other point was urged before us. The appeal is devoid of merits. It is dismissed accordingly. No costs.

Sd/-
Chief Justice
Judge

Sd/-
Satish K. Agnihotri
Judge